

Figure E-10 Statutory Checklist

STATUTORY CHECKLIST [§58.35(a) activities]

for Categorical Exclusions and Environmental Assessments

Note: Review of the items on this checklist is required for both Categorical Exclusions under Sec. 58.35(a) and projects requiring an Environmental Assessment under Sec. 58.36. If no compliance with any of the items is required, a Categorical Exclusion [58.35(a)] may become "exempt" under the provisions of Sec. 58.34 (a) (12). In such cases attach the completed Statutory Checklist to a written determination of the exemption. Projects requiring an Environmental Assessment under Sec. 58.36 cannot be determined to be exempt even if no compliance with Statutory Checklist items is found. Three items listed at Sec. 58.6 are applicable to all projects, including those determined to be exempt.

Project Name and Identification No. Project 1699 – 730 Stratford Avenue, Stratford CT

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
Document Laws and authorities listed at 24 CFR Sec. 58.5							
1. Historic Properties [58.5(a)] [Section 106 of NHPA]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See attachment 1 for determination statement from CT State Historic Preservation Office. Project activities will have an adverse impact. Project construction activities will not begin until the Programmatic Agreement between the Connecticut DECD/SHPO/DOH is completed and mitigation and documentation requirements are completed to the Connecticut State Historic Preservation Office's satisfaction.
2. Floodplain Management [58.5(b)] [Ex Or 11988] [24 CFR 55]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	National Flood Insurance Program (NFIP), Flood Insurance Rate Map (FIRM) Number 09001C0442G, Revised July, 8, 2013 indicates the project site at 730 Stratford Avenue, Stratford, CT is located inside Zone AE with a base flood elevation of 13 feet defined for the 1% Annual Chance Flood. See attachment 2 for documentation.
3. Wetland Protection [58.5 (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	United States Fish and Wildlife Services (USFWS), National Wetlands Inventory (NWI) mapping identifies the project site outside a wetland zone. See attachment 3 for map documentation. Mapping is Geographic Information System (G.I.S.) map created using data accessed from USFWS NWI website at http://www.fws.gov/wetlands/Data/State-Downloads.html
4. Coastal Zone Management [58.5(c)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project site at 730 Stratford Avenue, Stratford, CT is located inside a Coastal Boundary Zone. See attachment 4 for map documentation. Mapping is Geographic Information System (G.I.S.) map created using data accessed from CT Environmental Conditions Online (CT ECO) of the Coastal Boundary Zone from http://www.cteco.uconn.edu/

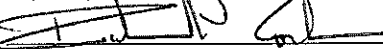
Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
							<p>Comprehensive Environmental Response and Compensation Liability Act (CERCLA) site;</p> <p>3. Not located within 3,000 feet of a landfill site as listed on CT DEEP's active landfill list;</p> <p>4. Not listed on CT DEEP's Underground Storage Tank list</p> <p>5. Not listed on CT DEEP's list of potentially contaminated sites and is not known or suspected to be contaminated by toxic chemicals or radioactive materials</p>
11. Environmental Justice [58.5(f)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The rehabilitation work at the project site, 730 Stratford Avenue, Stratford, CT, is compatible with the surrounding residential use and no adverse human health and environmental effects on minority or low income populations are expected. The Town of Stratford, Connecticut is not listed by the Connecticut Department of Economic and Community Development (CT DECD) as a distressed municipality as defined in C.G.S. Section 22a-20. See attachment 7 for the 2013 listing of distressed municipalities in CT from the CT DECD in which Town of Stratford, CT is not listed.</p>
Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns							
12 A. Flood Insurance [58.6(a) & (b)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>National Flood Insurance Program (NFIP), Flood Insurance Rate Map (FIRM) Number 09001C0442G, Revised July, 8, 2013 indicates the project site at 730 Stratford Avenue, Stratford, CT is located inside Zone AE with a base flood elevation of 13 feet defined for the 1% Annual Chance Flood. See attachment 2 for documentation.</p>
12 B. Coastal Barriers [58.6(c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Project at 730 Stratford Avenue, Stratford, CT is not located within a Coastal Barrier Resource System unit. See attachment 8 for documentation. Mapping is Geographic Information System (G.I.S.) map created using data digitized from official John H. Chafee Coastal Barrier Resource System maps enacted by law and endorsed by the U.S. Fish and Wildlife Service. Digital data was accessed from CT Environmental Conditions Online (CT ECO) at http://www.cteco.uconn.edu/</p>
12 C. Airport Clear Zone Notification [58.6(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Project does not involve the purchase or sale of a property as such 24 CFR 58.6(d) is not applicable.</p>
13 A. Solid Waste Disposal [42 U.S.C. 53251 et seq.] and [42 U.S.C. 6901-6987 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Rehabilitation activities to the residential structure at the project site, 730 Stratford Avenue, are not expected to affect the capacities of solid waste disposal services.</p>

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
							(G.I.S.) map created using data accessed from CT Environmental Conditions Online (CT ECO) of Tidal Wetlands Mapping accessed from http://www.cteco.uconn.edu/
14 D. Local inland wetlands/watercourses (CGS 22a-42)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project rehabilitation work is not expected to impact wetlands/watercourses.
14 E. Various municipal zoning approvals	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rehabilitation activities at the project site will need review by Town of Stratford, CT departments for issuance of required building permits. Project site does not abut coastal waters and project activities do not propose any activity that will substantially alter the natural character of coastal resources resources as defined in C.G.S. 22a-93(7) and is exempt from a coastal site plan review under the Zoning Regulations for the Town of Stratford. See attachment for 13 for mapping identifying no tidal wetlands, coastal bluffs, and escarpments, beaches, and dunes within 100 feet of the property.

DETERMINATION:

- ☐ This project converts to Exempt, per §58.349a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license. Funds may be drawn down for this (now) EXEMPT project; OR
- ☒ This project cannot convert to Exempt because one or more statutes/authorities requires consultation or litigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per §58.70 and 58.71 before drawing down funds; OR
- ☐ The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.


Prepared by:


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Date

12/15/2015

Responsible Entity or designee Signature:


Hermia Delaire, CDBG-DR Program Manager

Date

12/18/2015